

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1037 Session of 2022

INTRODUCED BY REGAN, GORDNER, J. WARD, MENSCH, BAKER, PHILLIPS-HILL, HUTCHINSON, BARTOLOTTA, MASTRIANO, YAW, MARTIN, SCAVELLO AND FLYNN, JANUARY 25, 2022

AS AMENDED ON THIRD CONSIDERATION, SEPTEMBER 21, 2022

AN ACT

1 Amending Title 44 (Law and Justice) of the Pennsylvania
2 Consolidated Statutes, in other officers and officials,
3 providing for coroners; and making a related repeal.
4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 44 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

CHAPTER 75

CORONERS

Subchapter

A. General Provisions (Reserved)

B. (Reserved)

C. Coroners' Education and Training

SUBCHAPTER A

GENERAL PROVISIONS

(Reserved)

SUBCHAPTER B

(Reserved)



1 "Board." The Coroners' Education and Training Board.

2 "Commission." The Pennsylvania Commission on Crime and  
3 Delinquency.

4 "Program." The Coroners' Education and Training Program  
5 established under the provisions of this subchapter.

6 § 7523. Coroners' Education and Training Board.

7 (a) Establishment.--The Coroners' Education and Training  
8 Board is established within the commission.

9 (b) Composition.--The board shall be composed as follows:

10 (1) The Executive Director of the commission or a  
11 designee.

12 (2) Five coroners from different areas of this  
13 Commonwealth, each with a minimum of six years' experience as  
14 a coroner.

15 (3) A physician coroner or other licensed health care  
16 professional coroner with a minimum of six years' experience  
17 as a coroner.

18 (4) A board-certified forensic pathologist with a  
19 minimum of four years' experience as a forensic pathologist.

20 (5) Two other forensic experts with a minimum of four  
21 years' experience in death investigations and experience as a  
22 toxicologist, an odontologist, an anthropologist or an  
23 entomologist.

24 (6) One educator qualified in the field of criminal  
25 justice.

26 (7) One county district attorney.

27 (8) The Executive Director of the association, who shall <--  
28 serve as an ex officio member.

29 (c) Appointments and terms.--All members of the board,  
30 except for the executive directors of the commission and the

1 association, WHO SHALL SERVE AS EX OFFICIO MEMBERS, SHALL BE  
2 APPOINTED FOR A PERIOD OF THREE YEARS AND shall be appointed as  
3 follows:

4 (1) One coroner shall be appointed by each of the  
5 following from a list of 10 qualified persons recommended by  
6 the Pennsylvania Coroners' Association:

- 7 (i) The Governor.
- 8 (ii) The President pro tempore of the Senate.
- 9 (iii) The Minority Leader of the Senate.
- 10 (iv) The Speaker of the House of Representatives.
- 11 (v) The Minority Leader of the House of  
12 Representatives.

13 (2) The physician coroner or other licensed health care  
14 professional coroner shall be appointed by the Governor from  
15 a list of three qualified persons recommended by the  
16 Pennsylvania Coroners' Association.

17 (3) The board-certified forensic pathologist shall be  
18 appointed by the Governor from a list of three qualified  
19 persons recommended by the Pennsylvania Coroners'  
20 Association.

21 (4) Of the other two forensic experts, one shall be  
22 appointed by the President pro tempore of the Senate and one  
23 shall be appointed by the Speaker of the House of  
24 Representatives from a list of five qualified persons  
25 recommended by the Pennsylvania Coroners' Association.

26 (5) One educator qualified in the field of criminal  
27 justice shall be appointed by the Governor.

28 (6) One county district attorney shall be appointed by  
29 the Governor.

30 (d) Vacancies.--A member appointed to fill a vacancy created

1 by any reason other than expiration of a term shall be appointed  
2 for the unexpired term of the member who the appointee succeeds  
3 in the same manner as the original appointment.

4 (e) Expenses.--The members of the board shall serve without  
5 compensation but shall be reimbursed the necessary and actual  
6 expenses incurred in attending the meetings of the board and in  
7 the performance of their duties under this subchapter.

8 (f) Removal.--Members of the board, except the executive  
9 directors of the commission and the association, may be removed  
10 by the Governor for good cause shown upon written notice from  
11 the Governor specifically stating the cause for removal.

12 (g) Chair.--The members of the board shall select a chair  
13 from among the members to serve for a period of one year. A  
14 chair may be elected to serve successive terms.

15 (h) Meetings.--The board shall meet bimonthly in person or  
16 via video or conference call. Special meetings may be called by  
17 the chair of the board or upon written request of a majority of  
18 members. Special meeting notices shall be provided two days in  
19 advance and contain the agenda items to be discussed at the  
20 special meeting.

21 (i) Quorum.--A quorum is required at all meetings in order  
22 for votes to be taken. A simple majority of members present  
23 shall constitute a quorum.

24 § 7524. Powers and duties of board.

25 The board may consult with the commission on any matters it  
26 deems necessary or appropriate. The powers and duties of the  
27 board shall be to:

28 (1) Establish, implement and administer the Coroners'  
29 Education and Training Program for county coroners, chief  
30 deputy coroners, deputy coroners and any other individuals

1 performing death investigations, regardless of job title and  
2 regardless of whether they are a full-time employee, part-  
3 time employee or per diem employee.

4 (2) Establish, implement and administer a continuing  
5 education program for county coroners, chief deputy coroners,  
6 deputy coroners and any other individuals performing death  
7 investigations, regardless of job title and regardless of  
8 whether they are a full-time employee, part-time employee or  
9 per diem employee. In doing so, the board shall determine  
10 which courses, seminars, lectures and meetings qualify for  
11 credit hours and the number of credits to be given to each.

12 (3) Establish the minimum qualifications for instructors  
13 and certify instructors.

14 (4) Approve or revoke the approval of any school or  
15 entity that may be utilized to comply with the educational  
16 and training requirements of this subchapter.

17 (5) Establish the tuition to be charged for the course  
18 of instruction that shall be as nearly equal to the cost of  
19 administering the course and the written examination,  
20 including instruction materials, instructor fees, lodging and  
21 meals.

22 (6) Certify county coroners, chief deputy coroners,  
23 deputy coroners and any other individuals performing death  
24 investigations, regardless of job title and regardless of  
25 whether they are a full-time employee, part-time employee or  
26 per diem employee, who have satisfactorily completed the  
27 basic education and training requirements of this subchapter  
28 and issue appropriate certificates to them.

29 (7) Revoke the certification of county coroners, chief  
30 deputy coroners, deputy coroners and any other individuals

1 performing death investigations, regardless of job title and  
2 regardless of whether they are a full-time employee, part-  
3 time employee or per diem employee in accordance with section  
4 7531 (relating to revocation of certification).

5 (8) Reinstate previously revoked certifications of  
6 county coroners, chief deputy coroners, deputy coroners and  
7 any other individuals performing death investigations,  
8 regardless of job title and regardless of whether they are a  
9 full-time employee, part-time employee or per diem employee  
10 if the board finds that the circumstances which led to the  
11 revocation of certification are no longer an impediment to  
12 certification.

13 (9) Make rules and regulations and perform other duties  
14 as may reasonably be necessary or appropriate to administer  
15 this subchapter.

16 (10) Make an annual report to the Governor and to the  
17 General Assembly concerning:

18 (i) The administration of the Coroners' Education  
19 and Training Program.

20 (ii) The activities of the board.

21 (iii) The costs of the program.

22 § 7525. Education and training program.

23 The Coroners' Education and Training Program shall be no less  
24 than 40 hours of instruction and a final examination. The  
25 program shall include subjects such as death scene  
26 investigation, crime scene processing, toxicology, preservation  
27 of evidence, forensic autopsies, child abuse deaths, elder abuse<--  
28 deaths, pandemic needs and responses, office management,  
29 including forms and reports to be implemented, and the legal  
30 duties of the office of coroner.

1 § 7526. Continuing education.

2 The continuing education program shall require no less than  
3 12 hours of continuing education annually. ~~No more than four~~ <--  
4 hours may be completed online. Continuing education requirements  
5 may be obtained in conjunction with the annual conference of the  
6 association. The board may increase the required course hours if  
7 it is determined that an increase is necessary to maintain  
8 current knowledge in the operations of the coroner and shall  
9 provide notice of the increase one year prior to the effective  
10 date of the new requirements.

11 § 7527. Coroner training requirements.

12 (a) Course of instruction and written examination.--

13 (1) Except as provided under paragraph (2) and  
14 subsection (c), an individual elected or appointed for the  
15 first time to the office of coroner on or after the effective  
16 date of this paragraph shall complete, prior to being sworn  
17 into the office, the required course of instruction and shall  
18 successfully pass the final examination with a score of no  
19 less than 80%.

20 (2) The board may postpone the requirements under  
21 paragraph (1) upon a showing of just cause.

22 (b) Noncompliance.--If the individual elected or appointed  
23 to the office of coroner fails to comply with the requirements  
24 under subsection (a) without just cause, the individual shall  
25 not be eligible to take the oath of office and the office of  
26 coroner shall be deemed vacant. The vacancy shall be filled in  
27 accordance with the laws of this Commonwealth.

28 (c) Vacancy.--In the event of a vacancy in the office of  
29 coroner, the individual appointed to fill the vacancy shall  
30 complete the next available course of instruction and

1 successfully pass the written examination with a score of not  
2 less than 80%. In the event the individual appointed to fill a  
3 vacancy in the office of coroner is currently a medicolegal  
4 death investigator within the office who has previously  
5 completed the course and successfully passed the examination and  
6 has maintained any continuing education requirements, the  
7 appointee shall not be required to participate in an additional  
8 course and written examination.

9 § 7528. Chief deputy coroner, deputy coroner or other  
10 individual performing death investigations training  
11 requirements.

12 (a) Course of instruction and written examination.--

13 (1) Except as provided under paragraph (2), an  
14 individual appointed on or after the effective date of this  
15 paragraph to the position of chief deputy coroner, deputy  
16 coroner or as an individual performing death investigations  
17 shall, within one year, complete the required course of  
18 instruction and pass the final examination with a score of no  
19 less than 80%.

20 (2) The board may postpone the completion requirement  
21 under paragraph (1) upon a showing of just cause.

22 (3) The board may establish rules to apply to per diem  
23 death investigators, as long as those rules do not eliminate  
24 any of the course requirements and a successful passing score  
25 of not less than 80%.

26 (b) Noncompliance.--If the appointed individual fails to  
27 comply with the requirements under subsection (a) without just  
28 cause, a vacancy shall be deemed to exist in that position and  
29 the vacancy shall be filled in accordance with the manner of the  
30 original appointment.

1 § 7529. Continuing education requirements.

2 (a) Requirement.--Each year, every coroner, chief deputy  
3 coroner, deputy coroner and any other individual performing  
4 death investigations, regardless of job title and regardless of  
5 whether they are a full-time employee, part-time employee or per  
6 diem employee, shall, while in office, meet the requirements for  
7 continuing education established by the board.

8 (b) National certification.--As part of the continuing  
9 education requirements for a coroner or chief deputy coroner,  
10 each coroner and chief deputy coroner shall attain national  
11 medicolegal death investigation certification through the  
12 American Board of Medicolegal Death Investigators within two  
13 years of taking office and shall maintain the number of hours of  
14 continuing education required to maintain national  
15 certification.

16 § 7530. Home rule counties.

17 In the case of a county which has adopted a home rule charter  
18 which provides for the appointment of the coroner, a coroner  
19 appointed after the effective date of this section shall obtain  
20 certification within six months of appointment and fulfill  
21 continuing education requirements as required under this  
22 subchapter.

23 § 7531. Revocation of certification.

24 (a) Revocation of chief deputy coroner, deputy coroner and  
25 any other individual performing death investigations  
26 certification.--The board shall revoke the certification of any  
27 chief deputy coroner, deputy coroner and any other individual  
28 performing death investigations for one or more of the  
29 following:

30 (1) Conviction for a felony or misdemeanor of the first

1 degree or second degree.

2 (2) If the board determines the individual was dismissed  
3 for cause from employment as a chief deputy coroner, deputy  
4 coroner and any other individual performing death  
5 investigations regardless of job title.

6 (3) If the board determines the individual is physically  
7 or psychologically unfit to perform the duties of the office.

8 (4) If the board determines the individual has committed  
9 misconduct which makes the person unfit to perform the duties  
10 of the office, including:

11 (i) Submission to the board of a document that the  
12 individual knows contains false information, including a  
13 fraudulent application.

14 (ii) Cheating on board examinations or skills tests.

15 (b) Revocation of coroner certification.--The board shall  
16 revoke the certification of a coroner only after the coroner is  
17 removed from office. Nothing in this subchapter shall be  
18 interpreted as providing grounds for removal of a coroner from  
19 office, except as provided for by Article VI of the Constitution  
20 of Pennsylvania.

21 (c) Notification by coroner.--In the case of any chief  
22 deputy coroner, deputy coroner and any other individual  
23 performing death investigations regardless of job title, it  
24 shall be the responsibility of the coroner to notify the board  
25 within 15 days of the occurrence of an event described under  
26 subsection (a).

27 (d) Notification by county commissioners.--In the case of a  
28 coroner, it shall be the responsibility of the county  
29 commissioners to notify the board within 15 days of a coroner's  
30 removal from office.

1 (e) Regulations.--The board shall establish regulations  
2 providing for the following:

3 (1) Notice of a revocation and the right of coroners,  
4 any chief deputy coroner, deputy coroner and any other  
5 individual performing death investigations regardless of job  
6 title to request a hearing.

7 (2) Standards and guidelines for application for  
8 recertification following revocation.

9 § 7532. Coroners' Education and Training Account.

10 (a) Establishment.--The Coroners' Education and Training  
11 Account is established as a special restricted account within  
12 the General Fund. Money in the account is appropriated on a  
13 continuing basis to the commission for the purpose of financing  
14 education and training expenses, the costs of administering the  
15 program, reimbursements to counties and all other costs  
16 associated with the activities of the board and the  
17 implementation of this subchapter.

18 (b) Fee.--Two dollars from the fee for each death  
19 certificate issued shall be deposited into the account.

20 (c) Disbursements.--Disbursements from the account shall be  
21 made by the commission.

22 (d) Reimbursement to counties.--Each county shall pay the  
23 ordinary and necessary living and travel expenses and the  
24 regular wages and per diem of each coroner, chief deputy  
25 coroner, deputy coroner and any other individual that performs  
26 death investigations while attending approved courses. The  
27 commission shall reimburse each county 100% of the stated  
28 expenses incurred by each coroner, chief deputy coroner, deputy  
29 coroner and any other individual that performs death  
30 investigations while attending the basic education and training

1 course, the national medicolegal death investigation  
2 certification course and continuing education courses. The  
3 commission shall provide for 100% of the tuition incurred while  
4 attending basic education and training, national medicolegal  
5 death investigation certification training and continuing  
6 education.

7 Section 2. Repeals are as follows:

8 (1) The General Assembly declares that the repeal under  
9 paragraph (2) is necessary to effectuate the addition of 44  
10 Pa.C.S. Ch. 75.

11 (2) The act of March 2, 1988 (P.L.108, No.22), referred  
12 to as the Coroners' Education Board Law, is repealed.

13 Section 3. This act shall take effect in 60 days.